Page 1 of 3

## EXECUTIVE SUMMARY - ENFORCEMENT MATTER

**DOCKET NO.:** 2007-1382-PWS-E **TCEQ ID:** RN101253805 **CASE NO.:** 34494

RESPONDENT NAME: Blackland Water Supply Corporation

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	_FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	_IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
_AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Public water supsets of the Significant Matters: The facility location.  INTERESTED PARTIES: No one other the COMMENTS RECEIVED: The Texas Received: Total Attorney/SEP Coordinated Total Enforcement	_ No  ere are no complaints. There is no record of addition  man the ED and the Respondent has expressed an integer comment period expired on March 10, 2008.	al pending enforcement actions regarding this erest in this matter.  No comments were received.  Inforcement Team 2, MC R-13, (210) 403-

## RESPONDENT NAME: Blackland Water Supply Corporation

**DOCKET NO.:** 2007-1382-PWS-E

#### **VIOLATION SUMMARY CHART:** VIOLATION INFORMATION PENALTY CONSIDERATIONS CORRECTIVE ACTIONS TAKEN/REQUIRED: Type of Investigation: Total Assessed: \$3,142 Corrective Actions Taken: Complaint X Routine Total Deferred: \$628 The Executive Director recognizes that the Enforcement Follow-up Respondent has implemented the following X Expedited Settlement Records Review corrective measures at the Facility: Financial Inability to Pay a. On September 17, 2007, provided a Date(s) of Complaints Relating to this thorough and up-to-date plant operations Case: None SEP Conditional Offset: \$0 manual: and Date of Investigation Relating to this Total Paid to General Revenue: \$2,514 b. On September 17, 2007, provided Case: June 13, 2007 Site Compliance History Classification documentation showing that repairs to the intruder-resistant fence at Greene Pump Date of NOV/NOE Relating to this Case: High \_\_\_ Average Poor Station have been completed. August 9, 2007 (NOE) Person Compliance History Classification **Ordering Provisions:** Background Facts: This was a routine High \_\_\_ Average Poor investigation. The Order will require the Respondent to: Major Source: X Yes No Walk 18 1 1 25 21 WATER a. Immediately, upon the effective date of Applicable Penalty Policy: September 2002 1) Failed to provide an adequate purchase this Agreed Order, begin collecting at least water contract. Specifically, at the time of one representative monthly water sample from the Circle Lane pressure plane the investigation, the contract provided did distribution system; not have a specified purchase rate [30 Tex. add SMM in s ADMIN. CODE § 290.45(f)(3)]. b. Within 60 days after the effective date of 2) Failed to provide a thorough and up-tothis Agreed Order, submit copies of the date plant operations manual. Specifically, annual inspection and test results of the backflow prevention assemblies located at at the time of the investigation, the plant the veterinary clinic, daycare center, and operations manual that was provided did irrigation systems; not contain emergency protocols and emergency contact information for system personnel, and local/state/federal agencies c. Within 75 days after the effective date of this Agreed Order, submit written to be contacted in the event of an certification as described in Ordering emergency [30 TEX. ADMIN. CODE § Provision e. to demonstrate compliance 290.42(1)]. with Ordering Provisions a. and b.; 3) Failed to maintain copies of backflow d. Within 180 days after the effective date prevention assembly tests. Specifically, at of this Agreed Order, obtain a purchase the time of the investigation, there were no records showing that backflow prevention water contract that establishes a maximium assemblies were tested at the veterinary rate at which water may be drafted on a clinic, daycare center, and irrigation daily and hourly basis. In the absence of a maximium daily or maximium hourly rate in systems [30 Tex. ADMIN. CODE § the contract, a uniform purchase rate for the 290.44(h)(1)(B)(ii)]. contract period may be used; and 4) Failed to maintain the intruder-resistant fence at Greene Pump Station. e. Within 195 days after the effective date of this Agreed Order, submit written Specifically, at the time of the certification and include detailed supporting investigation, the intruder-resistant fence documentation including photographs, around Greene Pump Station was sagging receipts, and/or other records to and in need of repair [30 TEX. ADMIN. demonstrate compliance with Ordering CODE § 290.43(e)]. Provision d.

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# **RESPONDENT NAME:** Blackland Water Supply Corporation **DOCKET NO.:** 2007-1382-PWS-E

plane distribution system. Specifically, at the time of the investigation, system personnel were unaware that a bacteriological sample needed to be collected each month from the system's third pressure plane [30 Tex. ADMIN. CODE § 290.109(c) and Tex. Health & Safety Code § 341.033(d)].	Additional ID No(s).: PWS 1990004
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on the control of the section of the

	Penalty Calculation	n Worksheet (P	•	
Policy Revision 2 (Septe	mber 2002)		PCW Revision	June 26, 2007
OATES Assigned	6-Aug-2007		Company of the second second second	• • • • • • • • • • • • • • • • • • • •
	24-Aug-2007 <b>Screening</b> 23-Aug-2007	EPA Due		•
ESPONDENT/FACILITY I	NFORMATION Blackland Water Supply Corporation			7
Reg. Ent. Ref. No. F		<del>,</del>	The state of the s	1
Facility/Site Region 4		Major/Minor Source	Major	
ASE INFORMATION _				
Enf./Case ID No. 3		No. of Violations	the state of the s	
	2007-1382-PWS-E	Order Type Enf. Coordinator		_
Media Program(s) F Multi-Media	Public Water Supply	Eni. Coordinator	EnforcementTeam 2	=
Admin. Penalty \$ Li	mit Minimum \$50 Maximum	\$1,000	Emo, comoner cam E	<b>_</b>
	Penalty Calcula	tion Section		
OTAL BASE PENALT	FY (Sum of violation base penaltie		Subtotal 1	\$2,850
		NA PARILARI CINT - DEPARTAMENTE (EL CO MARCANIO CONTRACTORIA (CARACTERIA CONTRACTORIA)		/****
NDJUSTMENTS (+/-)	IO SUBIOIAL 1 and by multiplying the Total Base Penalty (Subtotal 1) by	the indicated percentage	ShipMahilitana Walfales asserting	
Compliance Histor			otals 2, 3, & 7	\$142
		· • · · · · · · · · · · · · · · · · · ·	]	<del>-</del>
Notes	The penalty enhancement is due to one p similar violations			
Culpability \( \int \)	No 0%	Enhancement	Subtotal 4	\$(
Notes	The Respondent does not meet the	e culpability criteria.		
Good Faith Effort		Reduction	Subtotal 5	\$(
Extraordinary	Before NOV NOV to EDPRP/Settlement Offer			
Ordinary				
N/A	X (mark with x)		- · · · ·	
Notes	The Respondent does not meet the	e good faith criteria.		
enger it. An in Albertalika ina manglili.	residente de la companya del companya de la companya del companya de la companya del companya de la companya de la companya de la companya del companya de la companya del companya de la companya del companya de la co	Enhancement*	Subtotal 6	\$(
Approx. C		I at the Total EB \$ Amount	<i></i>	
SUM OF SUBTOTALS			Final Subtotal	\$2,99
		The Control of Control	NEW STANSON TO SERVICE AND A S	¢4.5
	S JUSTICE MAY REQUIRE  ubtotal by the indicated percentage. (Enter number only	5% y; e.g30 for -30%.)	Adjustment	\$15
Notes	Enhancement recommended for recov	very of avoided costs of		
	compliance.	Final Da	molty Amount	\$3,14
		Finai Pe	enalty Amount	ψJ, 14.
STATUTORY LIMIT A	DJUSTMENT	Final Ass	essed Penalty	\$3,14
DEFERRAL		20% Reduction	Adjustment	-\$62
	alty by the indicted percentage. (Enter number only; e.g.	g. 20 for 20% reduction.)	]	
Notes	Deferral offered for expedite	ed settlement.		
L				
PAYABLE PENALTY			Prophysics Control of the Control of	\$2,51

	ing Date 23-Aug-2007 Docket No. 2007-1382-PWS-E		1
	pondent Blackland Water Supply Corporation	Policy Re	evision 2 (Sept
	se ID No. 34494	PO	CW Revision J
	ence No. RN101253805		
	[Statute] Public Water Supply		
Ent. Cod	ordinator Thomas Barnett	and the	
	Compliance History Worksheet	water and the state of the same	at s
liance History	/ Site Enhancement (Subtotal 2)	Mac Survey and S	N
Component		nter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	- 11 A A	5%
11010	Other written NOVs	0,	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders	Ó	
	meeting criteria)	<b>U</b>	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial	i, ja kuft si	
- 49	of liability, or default orders of this state or the federal government, or any final prohibitory	0 .	0%
on the second	emergency orders issued by the commission and the state of the state o		
	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting		0%
Judgments	criteria)	i Crabab Pirbran	070
and Consent	Any adjudicated final court judgments and default judgments, or non-adjudicated final court		
Decrees	judgments or consent decrees without a denial of liability, of this state or the federal		0%
and the second second	government	disability	
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	ି <b>0</b> . ମୁଞ୍ଜାବିୟର	0%
ar ar registration program	Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of	n	0%
	audits for which notices were submitted)		0 70
Audits			
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Pict, 14th Legislature, 1995 (humber of audits for which violations were disclosed)	Leilenten ber	
		se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a	No	0%
Other	special assistance program	110	
*	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	1 1 No	0%
	Adjustment P	ercentage (Sเ	ıbtotal 2)
ıt Violator (Su	btotal 3)	12.1k (22.2k) (13.1k) (1	alligates ()
N/A	Adjustment P	ercentage (Sι	ıbtotal 3)
liance History	Person Classification (Subtotal 7)		
N/A	Adjustment P	ercentage (Sเ	ıbtotal 7)

The penalty enhancement is due to one prior NOV for the same or similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Compliance History

Notes

Scre	ening Date 23-Aug-2007	<b>Docket No.</b> 2007-1382-PWS-E	PCW
R	espondent Blackland Wat	er Supply Corporation	Policy Revision 2 (September 2002)
C	Case ID No. 34494		PCW Revision June 26, 2007
Reg. Ent. Ref	erence No. RN101253805		ниционодије
Med	ia [Statute] Public Water S	upply	mm m (), a member
	coordinator Thomas Barne		000100000000000000000000000000000000000
Viola	ation Number 1		· · · · · · · · · · · · · · · · · · ·
	Rule Cite(s)	30 Tex. Admin. Code § 290.45(f)(3)	CONTROL DE LA CO
Violation		ide an adequate purchase water contract. Specifically, at the tination, the contract provided did not have a specified purchase ra	
		Basic	Penalty \$1,000
>> Environmental	, Property and Human I Release Major Actual	Health Matrix Harm Moderate Minor	
36) 30 & 7 - 1	Potential	Percent 0%	
>>Programmatic l			and combined a CO PO CO F
	Falsification Major	Moderate Minor Percent 25%	de constante de la constante d
Matrix Notes		100% of the rule requirement was not met.	
		Adjustment	\$750
			\$250
Violation Events			
	Number of Violation Events	1 Number of violation day	/s
	daily [ monthly [	Violation Bas	e Penalty \$250
	mark only one with an x semiannual annual single event	X X	e i enaity
		One single event is recommended.	
Economic Benefi	t (EB) for this violation	Statutory Limit Te	st
	Estimated EB Amount[	\$13 Violation Final Pen	alty Total \$276
		This violation Final Assessed Penalty (adjusted	for limits) \$276
	Company of Company (1986)		Control of the Contro

	siyar Frida 🗎	conomic E	3enefit W	orks	sheet	ntek prinsem	à
Respondent	Blackland Wat	er Supply Corporation	on			A TOTAL STREET, TO THE	
Case ID No						A STORY	
Reg. Ent. Reference No	RN101253805						
	Public Water S						Years of
Violation No.		мры				Percent Interest	Depreciation
Violation No	figure in the second				at rocks proposition	5.0	(1997) A 1997 (1997) - A 1997
					representation	proprieta de la constitución de	<b>h</b>
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amoun
Item Description	1 No commas or \$		MANAGE DEST		The state of	(a)ph() allow	
Delayed Costs	al lower and	The Landing of Co.	Partition Parlia tre		aasa da da d		
Equipment	Carety occur (Colonica)			0,0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)	12.		The property of the second	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0,0	\$0	n/a	\$0
Permit Costs			فأشد بالمستران والمستران	0.0	\$0	n/a	\$0
Other (as needed)	\$200	13-Jun-2007	13-Sèp-2008 water purchase c	<u>   `1.3</u> ontract t	hat specifies a ma	n/a iximum rate at which	\$13 water may be
Notes for DELAYED costs	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation	water purchase c es or a uniform p date and the final	ontract t urchase date is	that specifies a ma rate for the contra the estimated date	iximum rate at which ct period. The date of compliance.	water may be required is the
	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract t urchase date is intering	hat specifies a ma rate for the contra the estimated date item (except for	iximum rate at which ct period. The date of compliance.	water may be required is the same that the s
Notes for DELAYED costs  Avoided Costs  Disposal	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract turchase date is entering	hat specifies a ma rate for the contra the estimated date item (except for	ximum rate at which ct period. The date of compliance. one-time avoided c	water may be required is the osts)
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract t urchase date is entering 0,0	that specifies a marate for the contra the estimated date item (except for \$0 \$0	ximum rate at which ct period. The date of compliance.  one-time avoided c	water may be required is the osts)  \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract turchase date is intering	that specifies a marate for the contra the estimated date item (except for \$0 \$0	ximum rate at which ct period. The date of compliance.  one-time avoided c  \$0  \$0  \$0  \$0	water may be required is the osts)  \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract turchase date is intering 0.0 0.0 0.0 0.0	hat specifies a ma rate for the contra the estimated date item (except for \$0 \$0 \$0	ximum rate at which ct period. The date of compliance.  one-time avoided c  \$0  \$0  \$0  \$0  \$0	water may be required is the state of the st
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract turchase date is intering 0.0 0.0 0.0 0.0	hat specifies a ma rate for the contra the estimated date item (except for \$0 \$0 \$0 \$0	ximum rate at which ct period. The date of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	water may be required is the osts)  \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract turchase date is sentering 0,0 0,0 0,0 0,0 0,0 0,0 0,0 0,0 0,0 0,	hat specifies a marate for the contrathe estimated date  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ximum rate at which ct period. The date of compliance.  one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	water may be required is the state of the st
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation NUALIZE [1] avoide	water purchase c es or a uniform p date and the final	ontract turchase date is intering 0.0 0.0 0.0 0.0	hat specifies a ma rate for the contra the estimated date item (except for \$0 \$0 \$0 \$0	ximum rate at which ct period. The date of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	water may be required is the state of the st
Avoided Costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation	water purchase c es or a uniform p date and the final d costs before e	ontract turchase date is entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	hat specifies a marate for the contrathe estimated date  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ximum rate at which ct period. The date of compliance.  one-time avoided compliance.  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	water may be required is the state of the st
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The estimate drafted on a	ed cost to prepare a daily and hourly bas investigation	water purchase c es or a uniform p date and the final d costs before e	ontract turchase date is entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	that specifies a marate for the contrate the estimated date  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ximum rate at which ct period. The date of compliance.  one-time avoided compliance.  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	water may be required is the state of the st

Screening Date	23-Aug-2007	Dock	<b>cet No.</b> 2007-1382-PWS-E	PCW
Respondent	Blackland Water	Supply Corporation		Policy Revision 2 (September 2002)
Case ID No.				PCW Revision June 26, 2007
Reg. Ent. Reference No.				·
Media [Statute]		ply		•
Enf. Coordinator	·····			
Violation Number				
Rule Cite(s)		30 Tex. Admin. Co	ode § 290.42(I)	
Violation Description	time of the inves emergency pro	tigation, the plant operations tocols and emergency contact	lant operations manual. Specifical manual that was provided did not ct information for system personn acted in the event of an emergend	t contain el, and
			Base	Penalty \$1,000
>> Environmental, Property a				
Release		Harm oderate Minor		
OR Actual		oderate Willier		
Potentia			Percent 0%	
>>Programmatic Matrix	and the second second		lativiti i katanista Lituarian	
Falsification	Major M	loderate Minor	Percent 10%	
	1	X	Percent 10%	
Matrix Notes		50% of the rule requirement v	was not met.	
	ndawa Ugana Sasan		Adjustment	\$900
				\$100
Violation Events		egy energy and a proposed and the second and the se		
	state West Addr.			STATIO STURMS AND AS
Number of V	olation Events		71 Number of violation day	/S
	daily			·
	monthly			
mark only one	quarterly		Violation Bas	e Penalty \$100
with an x	semiannual		•	
•	annual			
	single event	X		
		One single event is recom	nmended.	
Economic Benefit (EB) for the	nis violation		Statutory Limit Te	st
po seu los 2000 e consensado de la como de 1940 e c	ed EB Amount	\$3]	Violation Final Pen	Surface of Experimental Control of Control o
		This violation Fin	al Assessed Penalty (adjusted	for limits) \$110

Reg. Ent. Reference No.					A 4		
Media Violation No.	Public Water Si . 2	upply			and the second	Percent Interest	Years of Depreciation
					2004 - Distriction	5.0	. 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	PSPOES Protects	numuAnnisidada).				e ta
Delayed Costs	uk ene. <del>Iraziri is saun sa</del>		ng sa	1 0.0	\$0	\$0 I	\$0
Equipment Buildings			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0	\$0	\$0	\$0 \$0
Other (as needed)	100			0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land	30 14 14 14 14 14 14 14 14 14 14 14 14 14	10.11.21.11.11.11.11.11.11.11.11.11.11.11.		0.0	\$0	n/a	\$0
Record Keeping System	\$200	13-Jun-2007	17-Sep-2007	0.3	\$3	n/a	\$3
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal			The state of the s	0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)		101 10 10 10 10 10 10 10 10 10 10 10 10	<del></del>	0.0	00	Minimum to the Company of the Compan	
. ,	The estimated		up-to-date plant o			n/a v v v v v v v ator review and refer	\$0 Foresidado ence. The da
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel	. : 	required is the i	up-to-date plant o nvestigation date	peration and the ntering 0.0 0.0	s manual for oper final date is the da item (except for \$0 \$0	ator review and refer te of compliance. one-time avoided c \$0 \$0	ence. The dat  osts) \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	. : 	required is the i	up-to-date plant o nvestigation date	peration and the ntering 0.0 0.0	s manual for oper final date is the da item (except for \$0 \$0	ator review and refer the of compliance.  one-time avoided c \$0 \$0 \$0 \$0	osts)  \$0  \$0  \$0  \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	. : 	required is the i	up-to-date plant o nvestigation date	peration and the ntering 0.0 0.0 0.0 0.0 0.0	s manual for open final date is the da item (except for \$0 \$0 \$0	ator review and refer the of compliance.  one-time avoided c  \$0  \$0  \$0  \$0  \$0	osts) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	. : 	required is the i	up-to-date plant o nvestigation date	peration and the ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	s manual for open final date is the da item (except for \$0 \$0 \$0 \$0	ator review and refer te of compliance.  one-time avoided c  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$	ence. The date of
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	. : 	required is the i	up-to-date plant o nvestigation date	peration and the ntering 0.0 0.0 0.0 0.0 0.0	s manual for open final date is the da item (except for \$0 \$0 \$0	ator review and refer the of compliance.  one-time avoided c  \$0  \$0  \$0  \$0  \$0	osts) \$0 \$0 \$0 \$0 \$0

Screer	ning Date 23-Aug-2007	Docket N	<b>lo.</b> 2007-1382-PWS-E	PCW
	spondent Blackland Water Supp	ly Corporation	Policy R	evision 2 (September 2002)
Ca	se ID No. 34494		p	CW Revision June 26, 2007
Reg. Ent. Refer	ence No. RN101253805			
Media	[Statute] Public Water Supply			
Enf. Co	ordinator Thomas Barnett			
	on Number 3			1
F	Rule Cite(s)	30 Tex. Admin Code § 290.	44(h)(1)(B)(ii)	
Violation I	Description of the investigation, th	ies of backflow prevention as ere were no records showing terinary clinic, daycare center	sembly tests. Specifically, at the time the backflow assemblies were tested and irrigation systems.	
	I.		Base Penalty	\$1,000
1, mm avega caree conservation (1995/5557), 1-5		222220&323,751 P. 7277 (1.252. 2.5.2.2.79347)		
>> Environmental, I	Property and Human Health			-
	Harr Release Major Moder			
OR	Actual			
Penlanta 2004 14 Million Annual Company	Potential		Percent 0%	
	NAMES OF THE PROPERTY OF THE P		es mag	
>>Programmatic M				
	Falsification Major Moder	ate Minor	Percent 25%	
L	<u> </u>		Percent 25%	
Matrix Notes	100%	of the rule requirement was r	not met.	
	TO THE PRINT AND A SECOND SECO		6-11-11-11-11-11-11-11-11-11-11-11-11-11	~~ "!
and the second			Adjustment \$750	
				\$250
Section is a second of the real was expenses properties and the real sections.				
Violation Events				
<b>\</b>	umber of Violation Events 3	71	Number of violation days	
	daily			
	monthly			<b>Ф750</b>
	mark only one quarterly		Violation Base Penalty	\$750
	with an x semiannual			
	annual			
	single event X			
	Three single	events are recommended (or	ne per location).	
Economic Benefit	EB) for this violation		Statutory Limit Test	
	Estimated EB Amount	\$5	Violation Final Penalty Tota	I \$827
Land Care Care Care Care Care Care Care Care	Latimated LD Amount		-	
PARTITION OF THE PROPERTY OF THE PARTY OF TH		This violation Final As	sessed Penalty (adjusted for limits	) \$827
1694 School 25 F983 133	Court of Business (March 1988)			

<b>Media</b> Pu <b>Violation No.</b> 3	N101253805 ublic Water Si	upply				Percent Interest	Years of Depreciation
						5.0	1
e di Aldrida suddicipa di cita	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description N	io commas of \$	kayanan ocsada	boʻb limabAllishili	(S)			
Delayed Costs	According to the state of	<u> </u>	eningeration in the	ir''.	<b>Φ</b> Δ	Manual Co	<b>C</b> O
Equipment Buildings				0.0	\$0 \$0	\$0 \$0	\$0 \$0
- I	Constant Constant	2000 2000 2000 2000 2000 2000 2000 200	ser y Para gent et açı. Y. Oly	0.0	\$0 \$0	\$0	\$0 \$0
Other (as needed) Engineering/construction	<del>Markery series diag</del>			0.0	\$0	\$0	\$0 \$0
Land	<u> </u>	32233000000000000000000000000000000000	festinologistasistas statuva 111	0.0	\$0	n/a	\$0
Record Keeping System			The same of the sa	0.0	\$0	n/a	\$0
Training/Sampling			Total State of Tables of the	0.0	\$0	n/a	\$0
Remediation/Disposal	All and the second			0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	13-Jun-2007	13-Jun-2008	1.0	\$5	n/a	\$5
 Avoided Costs			ed costs before e	ntering	item (except for	the estimated date of	osts),
Disposal	<u> بريد بساست د مين ب</u>		94.54.5	0.0	\$0 \$0	\$0. \$0	\$0 \$0
Personnel	<del></del>			0.0	\$0	\$0	\$0 \$0
sharmonyzahormilitoamhiilit	<del></del>	<u> </u>	10-104 (Abbay 1944) 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0	\$0	\$0 \$0	\$0 \$0
Sunniles/equinment	19 Do Adays, and all the second	and the control of th		0.0	\$0	\$0	\$0
Supplies/equipment		The state of the s	CONTRACTOR OF LA	0.0	\$0	\$0	\$0
Financial Assurance [2]					\$0	\$0	\$0
Financial Assurance [2] ONE-TIME avoided costs [3]			The state of the s				
Financial Assurance [2]			I de la companione de l	0.0	J		

Scr	eening Date	23-Aug-2007	***************************************	Do	ocket No. 2007-1382	2-PWS-E	PCW
	Respondent		ter Supply Co	rporation		Policy	Revision 2 (September 2002)
	Case ID No.						PCW Revision June 26, 2007
Reg. Ent. Re	ference No.	RN101253805	5				
Med	dia [Statute]	Public Water S	Supply				
	Coordinator						
Vio	lation Number	4					
	Rule Cite(s)			30 Tex, Admin.	Code § 290.43(e)		
Violatio	on Description			the fence aroun	e at Greene Pump Station d Greene Pump Station of repair.		
						Base Penalt	y \$1,000
iga g≇ 1.8 yati h.t. Bakwa	n windingka se		iteriae kasa				
>> Environmenta	и, Ргорепту а	no Human	neaith Mat Harm	ri <b>x</b>		Sudmit Sections	
	Release	Major	Moderate	Minor			
OR	Actual						
	Potential		Χ		Percent	25%	
a policina de la compania del compania del compania de la compania del la compania de la compania dela compania del la compani				and the second s	SPANIS AND THROUGHT WAS ARRESTED		
>>Programmatic	Matrix	A A LUCIONA CONTRACTOR		mountain automobile and	Estimate 1		
	Falsification	Major	Moderate	Minor			
					Percent	0%	
	[ <del></del>						
Matrix Notes	which may o	compromise the	e systems abi	ilities to provide	v persons to enter and a safe and adequate v not exceed levels prote Adjustmen	vater supply, exposing ctive of human health	
							\$250
							\$200
Violation Events	and the second section of	TS and a section of	La Company	1000		100 486	
						:	223
	Number of Vi	olation Events	1		71 Number o	of violation days	
				u 155	***************************************		
		daily					
	mark only one with an x	monthly quarterly semiannual annual single event	X			Violation Base Penal	<b>ty</b> \$250
	One quart	ely event is red		calculated from ning date, Augus	the investigation date, st 23, 2007.	June 13, 2007 to the	
Economic Bono							
Fromothic Dene	fit (EB) for th	is violation	artini ili A	inde Span subbooksfred	Statuto	ry Limit Test	
Lconomic Dene				*18	36.5551.000000000000000000000000000000000	ry Limit Test	al \$276
Zagethein ill i Ana Lang and a Markata		is violation			Violat	ion Final Penalty Tot	
					36.5551.000000000000000000000000000000000	ion Final Penalty Tot	

	i kwatam <b>E</b> ∉	conomic	Benefit W	orksl	neet	Si right proces	s _ 1 * *
Respondent	Blackland Wate	r Supply Corporat	on		n assistant om have i literatura s Sila i kan sila sila sila sila sila sila sila sila		
Case ID No.							
Reg. Ent. Reference No.						F	
	Public Water Su	innly			1 1 1	[	Years of
Violation No.		арріу			A	Percent Interest	Depreciation
Violation inc.	4			5.00	Barriga Balando	<b>F</b> 0	2 - 10/20 - 1 H
				Tarak Alik	1639 (654)	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	Code § XStud St	merbacket bit.				
Delayed Costs	فالمنافعة فالحافظ المالية	Section Company	en of the front of the design	cajiba sijile			
Equipment	popular reduction and	CG (************************************		0.0	\$0	\$0	\$0
Buildings	According to 15 has a second	electric e de Sala Politica	Partition of the State W	0,0	\$0	\$0	\$0
Other (as needed)	area vallanting			0,0	\$0	\$0	\$0
Engineering/construction	\$1,000	13-Jun-2007	17-Sep-2007	0.3	\$1	\$18	\$18
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)			H SEE	0.0 6 3		n/a pappiosi	\$0
Notes for DELAYED costs  Avoided Costs	S tobace	Par	date is the	date of co	ompliance.	the investigation da	
Disposal	CARACTER STORY OF THE STORY OF THE STORY	THE PROPERTY.	Alles de la	0.0	\$0	\$0.	\$0
Personnel				0.0	\$0'`	``\$0	\$0
	14753.7	ESPAN Services persons	(818)P15 21 24				ΨU
Inspection/Reporting/Sampling	Annual Company of the	Note: The action of the control of t		0.0	\$0	\$0	\$0
				0.0	\$0 \$0	\$0 \$0	
Inspection/Reporting/Sampling					\$0 \$0	\$0 \$0	\$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/equipment	10 Au	The state of the s		0,0 0,0 0,0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0
inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0,0 0,0 0,0	\$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0
inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		Then	e are no avoided c	0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0

Screening	Date 23-Aug-2007	Docke	et No. 2007-1382-PWS-E	PCW
Respo	ndent Blackland Water	Supply Corporation		Policy Revision 2 (September 2002)
Case I	<b>D No.</b> 34494			PCW Revision June 26, 2007
Reg. Ent. Reference				
· ·	atute] Public Water Su	pply		A SEC
	nator Thomas Barnett		,	
Violation N	umber 5 Cite(s)			
Ruie	30 Tex. Adn	nin. Code § 290.109(c) and Tex	c. Health & Safety Code § 341.033	(d)
Violation Desc	ription analysis from time of the inve	the Circle Lane pressure plane stigation, system personnel we	onthly water sample for bacteriolog distribution system. Specifically, a re unaware that a bacteriological s the system's third pressure plane	at the sample
	. ,	,	Base F	Penalty \$1,000
>> Environmental, Prop	perty and Human He			
R	Release Major N	Harm Moderate Minor		
OR	Actual			,
Р	otential X		Percent 50%	
>>Programmatic Matrix				
		Moderate Minor		
			Percent 0%	
Matrix Notes expos	ailure to perform bacterionsed to a significant amou	ological sampling could result ir int of contaminants that would e	n customers of the water supply be exceed levels protective of human	ing health.
A STATE OF THE STA	same for the	Compared to the compared to th	Adjustment	\$500
3.00				\$500
				4000
Violation Events	dependente en compresa de la compre	o communication and the property of the contraction	Paragaganth 1919 magailtean ann an t-	
			Number of violation days	
. Numb	er of Violation Events	3	71 Number of violation days	
	daily			,
	monthly	X		
	only one quarterly han x semiannual		Violation Base	Penalty \$1,500
48.50	n an x semiannual <u> </u>			
	single event			
	■ 1/2 / 2 / 2 / 2 / 2 / 2 / 2 / 2 / 2 / 2			
Thre	ee monthy events are rec	commended, calculated from the screening date, August 23	e investigation date, June 13, 200 3, 2007.	7 to the
Economic Benefit (EB)	) for this violation		Statutory Limit Test	
E	stimated EB Amount	\$31	Violation Final Penal	ty Total \$1,654
	· ·	This	ıl Assessed Penalty (adjusted fo	r limits) \$1,654
		inis violation Fina	ii Assesseu Feilalty (aujusteu 10	ι mms/j ψ1,004

Managara r		conomic l	general contracts.	UIKS	illeer		
그림, 그는 그리고 하는 그는 그는 그는 그를 하는 것은 사람들이 되었다. 그리고 함께 하지 않는 것이 없는 그리고 있다.		ar Supply Corporati	on				:
Case ID No. 3							
Reg. Ent. Reference No. F					and the state of the	gut in rational demonstration of	
	Public Water Sı	upply			4 4	Percent Interest	Years of
Violation No. 5	5						Depreciation
					Ulifolia i paparate (1880) meni	5.0	1:
	Itam Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
						0,0,0,0,0	LD / lillount
Item Description	No commas or \$	Schalliper of Pt			rwyns, arf tagg		
			and the state of the state of				
Delayed Costs_	<u> حد واد حد عرابه</u>		<u> </u>		,		
Equipment			Salada La insalt	0.0	\$0	\$0	\$0
Buildings	<u>ilizati zaheleti</u>	ليحيق الرياد الوحظ برعالك أنا	المرازي فحملا ويفاعه	0.0	\$0	\$0	\$0
Other (as needed)	Carlon Languages	adestraction of the dis-	Samuel Samuel Company	0,0	\$0	\$0	\$0
Engineering/construction	a a to construit de la filla de la fil	distribution and action of the	e to the all many divers	0.0	\$0	\$0	\$0
Land [		lan in the second		0.0	\$0	n/a	\$0
Record Keeping System	فالمناف منطلع بعندوسط			0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs		CONTRACTOR SERVICES	The state of the s	0.0	\$0	n/a	\$0
Other (as needed)	a com a distribution to the H			0.0	\$0	n/a	\$0
Notes for DELAYED costs		There	e are no delayed o	osts ass	ociated with this v	iolation.	
Avoided Costs	ANN	UALIZE [1] avoide	ed costs before e	ntering	item (except for	one-time avoided c	osts)
Avoided Costs  Disposal	ANN	UALIZE [1] avoid	ed costs before e	ntering	\$0	one-time avoided c	\$0
	ÄNN		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Disposal	\$150	UALIZE [1] avoide	ed costs before e	0.0 0.0 0.2	\$0 \$0 \$1	\$0 \$0 \$29	\$0 \$0 \$31
Disposal Personnel	\$150		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0 0.0 0.2 0.0	\$0 \$0 \$1 \$0	\$0 \$0 \$29	\$0 \$0 \$31 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0 0.0 0.2 0.0 0.0	\$0 \$0 \$1 \$0 \$0	\$0 \$0 \$29 \$0 \$0	\$0 \$0 \$31 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	\$150		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0 0.0 0.2 0.0 0.0 0.0	\$0 \$0 \$1 \$0 \$0 \$0 \$0	\$0 \$0 \$29 \$30 \$0 \$0	\$0 \$0 \$31 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$150	13-Jun-2007	23-Aug-2007	0.0 0.0 0.2 0.0 0.0	\$0 \$0 \$1 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$29 \$0 \$0	\$0 \$0 \$31 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$150	13-Jun-2007	23-Aug-2007	0.0 0.0 0.2 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$1 \$0 \$0 \$0 \$0	\$0 \$0 \$29 \$0 \$0 \$0 \$0	\$0 \$0 \$31 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$150	13-Jun-2007	23-Aug-2007	0.0 0.0 0.2 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$1 \$0 \$0 \$0 \$0	\$0 \$0 \$29 \$0 \$0 \$0 \$0	\$0 \$0 \$31 \$0 \$0 \$0 \$0

## **Compliance History**

Customer/	Respondent/Owner-Ope	rator:	CN600636732	Blackland Water Supp	oly Corporation	Classification	n:	Rating:
Regulated Entity:		RN101253805 BLACKLAND WSC		Classification:		Site Rating:		
ID Number(s):		PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING		REGIS'	REGISTRATION		1990004 1990004	
Location:		•		HWAY 276, ROYSE CIT		J.		100001
TCEQ Reg	gion:		REGION 04 - DF\	W METROPLEX				
Date Com	pliance History Prepared	l:	August 22, 2007					
Agency De	ecision Requiring Compli	iance History:	Enforcement					
Compliano	e Period:		August 22, 2002 t	o August 22, 2007				
TCEQ Sta	ff Member to Contact for	Additional Inforn	nation Regarding this	Compliance History				
Name:	Thomas Barnet			none: 713-767-36	880		-	
			Site	Compliance History	Components		,	
1. Has the	site been in existence a	nd/or operation f			Yes			
	re been a (known) chan				No		,	
	who is the current owner				N/A			_
4. if Yes,	who was/were the prior	owner(s)?			N/A	4		_
5. When	did the change(s) in own	ership occur?			N/A			_
Compon	ents (Multimedia) for	the Site :						_
Α.			nents, and consent de	ecrees of the state of Tex	as and the federa	I government.		
	N/A				•			
B.	Any criminal conviction	s of the state of	Texas and the federa	l government.				
	N/A							
C.	Chronic excessive emi	ssions events.						
	N/A							
D.	The approval dates of		CEDS Inv. Track. No	o.)				
	1 12/18/2002 2 11/01/2005	(15695)						
	2 11/01/2005 3 05/24/2006	(434238) (465687)						
	4 12/12/2006	(532502)						
	5 08/03/2007	(569960)						
E.	Written notices of viola	ations (NOV). (CC	EDS Inv. Track. No.			•		
	Date: 11/03/2	2005 (4342)	38)	•				
	Self Report?	NO			Classification:	Moderate		
	Citation: Description:	Failure to e	apter 290, SubChapt mploy at least 2 wate led by the Agency.	er D 290.46(e)(3)(C) er works operators who h	old an applicable,	valid		
	Self Report?	NO			Classification:	Minor		
	Citation: Description:	Failure to c	•	er F 290.109(c)(2)(A)(iii) tine bacteriological samp water system	les at a frequency	based		
	Self Report?	NO NO	alation convoca by the	mater eyetem.	Classification:	Minor		
-	Citation: Description:	Failure to u		d calcium hypochlorite di				
	Self Report?	making rep NO	airs, setting meters, a	and disinfecting new mail	ns prior to service. Classification:	Minor		
	Citation:		apter 290, SubChapt	er D 290.43(d)(3)				
*	Description:			volume indicator for the				
	Self Report?	NO			Classification:	Minor		
	Citation: Description:		apter 290, SubChapt	ter D 290.38(25) sistant fence at the pump	station 2			
	Self Report?	NO			Classification:	Minor		

Citation:

30 TAC Chapter 290, SubChapter D 290.42(k)

Description:

Failure to compile plant operations manual for the system. Retain the completed

plan and make it available for review by agency personnel at the time of the

annual survey.

Self Report?

NO

30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(iv)

Citation: Description:

Failure to meet this Agency's Minimum Water System Capacity Requirements.

These requirements include: a pressure tank capacity of 20 gallons per

connection.

Self Report?

Classification:

Classification:

Moderate

Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(f)(1)

Description:

Failure to provide an adequate purchase water contract.

Environmental audits. F.

N/A

Type of environmental management systems (EMSs). G.

Voluntary on-site compliance assessment dates. H.

N/A

Participation in a voluntary pollution reduction program.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	8	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
BLACKLAND WATER SUPPLY	§	
CORPORATION	§	
RN101253805	§	ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2007-1382-PWS-E

#### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Blackland Water Supply Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a public water supply at 6715 State Highway 276 in Royse City, Rockwall County, Texas (the "Facility") that has approximately 1,428 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about August 14, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Three Thousand One Hundred Forty-Two Dollars (\$3,142) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Five Hundred Fourteen Dollars (\$2,514) of the administrative penalty and Six Hundred Twenty-Eight Dollars (\$628) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this

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		:

Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent has agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. On September 17, 2007, provided a thorough and up-to-date plant operations manual; and
  - b. On September 17, 2007, provided documentation showing that repairs to the intruder-resistant fence at Greene Pump Station have been completed.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

#### II. ALLEGATIONS

As owner of the Facility, the Respondent is alleged to have:

- 1. Failed to provide an adequate purchase water contract, in violation of 30 Tex. ADMIN. CODE § 290.45(f)(3), as documented during an investigation conducted on June 13, 2007. Specifically, at the time of the investigation, the contract provided did not have a specified purchase rate.
- 2. Failed to provide a thorough and up-to-date plant operations manual, in violation of 30 TEX. ADMIN. CODE § 290.42(l), as documented during an investigation conducted on June 13, 2007. Specifically, at the time of the investigation, the plant operations manual that was provided did not contain emergency protocols and emergency contact information for system personnel, and local/state/federal agencies to be contacted in the event of an emergency.

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- 3. Failed to maintain copies of backflow prevention assembly tests, in violation of 30 TEX. ADMIN. CODE § 290.44(h)(1)(B)(ii), as documented during an investigation conducted on June 13, 2007. Specifically, at the time of the investigation, there were no records showing that backflow prevention assemblies were tested at the veterinary clinic, daycare center, and irrigation systems.
- 4. Failed to maintain the intruder-resistant fence at Greene Pump Station, in violation of 30 TEX. ADMIN. CODE § 290.43(e) as documented during an investigation conducted on June 13, 2007. Specifically, at the time of the investigation, the intruder-resistant fence around Greene Pump Station was sagging and in need of repair.
- 5. Failed to collect and submit at least one monthly water sample for bacteriological analysis from the Circle Lane pressure plane distribution system, in violation of 30 Tex. ADMIN. CODE § 290.109(c) and Tex. Health & Safety Code § 341.033(d), as documented during an investigation conducted on June 13, 2007. Specifically, at the time of the investigation, system personnel were unaware that a bacteriological sample needed to be collected each month from the system's third pressure plane.

#### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Blackland Water Supply Corporation pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Blackland Water Supply Corporation, Docket No. 2007-1382-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Immediately, upon the effective date of this Agreed Order, begin collecting at least one representative monthly water sample from the Circle Lane pressure plane distribution system, as required by 30 Tex. ADMIN. CODE § 290.109 and Tex. Health & Safety Code § 341.033;
  - b. Within 60 days after the effective date of this Agreed Order, submit copies of the annual inspection and test results of the backflow prevention assemblies located at the veterinary

clinic, daycare center, and irrigation systems, as required by 30 TEX. ADMIN. CODE § 290.44;

- c. Within 75 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.e. to demonstrate compliance with Ordering Provision 2.a. and 2.b;
- d. Within 180 days after the effective date of this Agreed Order, obtain a purchase water contract that establishes a maximium rate at which water may be drafted on a daily and hourly basis. In the absence of a maximium daily or maximium hourly rate in the contract, a uniform purchase rate for the contract period may be used, in accordance with 30 Tex. Admin. Code § 290.45; and
- e. Within 195 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section, Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2301 Gravel Drive
Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and

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substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 Tex. ADMIN. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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Blackland Water Supply Corporation

For the Commission

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Sol Gallin	3/4/08
For the Executive Director	Date
I, the undersigned, have read and understand the attached Agreed Order on behalf of the entity indicate and conditions specified therein. I further acknowled penalty amount, is materially relying on such representations.	ed below my signature, and I do agree to the terms edge that the TCEQ, in accepting payment for the
I also understand that failure to comply with the Order	ring Provisions, if any, in this order and/or failure to
timely pay the penalty amount, may result in:	
• A negative impact on compliance history;	
Greater scrutiny of any permit applications sub     Referral of this case to the Attorney General	's Office for contempt, injunctive relief, additional
penalties, and/or attorney fees, or to a collection	
• Increased penalties in any future enforcement:	
• Automatic referral to the Attorney General's C	
<ul> <li>TCEQ seeking other relief as authorized by law</li> </ul>	
In addition, any falsification of any compliance docum	nents may result in criminal prosecution.
Mylly Signature	12-11-07 Date
J.K. Myeks	Poident Bredof Percetors
Name (Printed or typed)	Title
Authorized Representative of	

**Instructions**: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Emple A. Charles Sand